

**POSSIBLE RULEMAKING SCHEDULES <sup>1</sup>**

1998 RULEMAKING SCHEDULE	OPTION 1  COMMISSION ADOPTS SOME OR ALL AMENDMENTS AS ORIGINALLY PROPOSED OR WITH “NONSUBSTANTIAL” OR “SOLELY GRAMMATICAL” CHANGES	OPTION 2  COMMISSION ADOPTS AMENDMENTS WITH “SUFFICIENTLY RELATED” ADDITIONAL CHANGES <sup>2</sup>	OPTION 3  COMMISSION ADOPTS AMENDMENTS WITH ANY OTHER CHANGES <sup>3</sup>
JANUARY 13	Commission discusses desired amendments and text of proposed amendments, votes to commence rulemaking	Same	Same
FEBRUARY 20	Notice of intent published, public comment period begins	Same	Same
MARCH	Required public comment period	Same	Same
APRIL	Required public comment period	Same	Same
APRIL 9	Commission continues scheduled public hearing	Same	Same
MAY			
JUNE 8	Commission holds public hearing and adopts some or all of amendments as proposed or with “nonsubstantial” or “solely grammatical” changes	Commission holds public hearing and votes to have staff circulate amendments with limited changes <sup>2</sup>	Commission holds public hearing and votes to have staff prepare text of amendments with substantial changes <sup>3</sup>
JULY	Staff prepares rulemaking record and submits amendments to OAL	Commission holds public hearing and adopts some or all of the amendments	Commission holds workshops to identify desired changes and may vote to commence new rulemaking
AUGUST		Staff prepares rulemaking record and submits amendments to OAL	Commission holds workshops to identify desired changes, votes to commence new rulemaking
LATE AUGUST			New Notice published, public comment period begins
SEPTEMBER	OAL reviews and approves or denies amendments (30 working days)		
OCTOBER	If OAL approves regulations, it files them with Secretary of State and they become legally effective (30 days after filing)	OAL reviews and approves or denies regulations (30 working days)	
NOVEMBER		If OAL approves regulations, it files them with Secretary of State, and they become legally effective (30 days after filing)	Commission holds public hearing and adopts some or all of the amendments
DECEMBER			Staff prepares rulemaking record and submits amendments to OAL
1999 FEBRUARY - MARCH			OAL reviews and approves or denies regulations (30 working days)  If OAL approves regulations, it files them with Secretary of State, and they become legally effective (30 days after filing)

<sup>1</sup> The schedules reflect the minimum timeframes established by the Administrative Procedure Act. Postponement of any of the steps would result in postponement of the subsequent steps in order to satisfy APA requirements.

<sup>2</sup> An additional comment period of 15 days is required for changes that are “sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.” (Govt. Code, § 11346.8(c).) A change is “sufficiently related” to the original text “. . . if a reasonable member of the directly affected public could have determined from the notice that these changes to the regulation could have resulted.” (Tit. 1, CCR, § 41.) No additional comment period is required for changes that are “nonsubstantial” or “solely grammatical.” “Nonsubstantial” changes “. . . clarify without materially altering the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text.” (Tit. 1, CCR, § 40.)

<sup>3</sup> A new rulemaking with an additional public comment period of 45 days is required for all changes other than those described in footnote 2.